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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/842,625	04/27/2001	Srinivas Gutta	US 010135	8832

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EXAMINER

RAMAN, USHA

ART UNIT PAPER NUMBER

2616

DATE MAILED: 04/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/842,625

Applicant(s)

GUTTA ET AL.

Examiner

Usha Raman

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 8-7-01, 6-19-03, 10-6-04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Sezan (US Pat. 6,236,395).

In regards to claim 1, and 14, Sezan discloses a method of making entertainment recommendations to a user of receivers responsive to broadcast signals comprising the steps of compiling information about the user's program type preferences in a user description scheme (20) , the user description scheme further being modular and portable and therefore can be ported from one receiver to another (i.e. user description scheme is therefore compiled for multiple receivers). See column 5, lines 37-40 and column 6, lines 3-12. The system further combines the user description scheme with other description schemes (such as program and system description schemes) and makes recommendations in response to the combined user program preferences the plurality of receivers. See column 4, lines 30-39, column 3, lines 9-12, and 16-28. The system also teaches the step of combining a more than one user

description schemes (collaborative preferences) to generate a recommendation.

See column 6, lines 15-20.

In regards to claim 2, the source of program may comprise a plurality of devices such as a radio, television, computer, DVD, etc. Therefore, when creating recommendations for program sources from a television and a radio for a particular user, the description schemes are combined at each of the receivers providing the programming source (in this case television and radio). See column 7, lines 5-10 and lines 55-63.

In regards to claims 3, Sezan discloses that the receiver can be a car stereo. See column 10, lines 38-48.

In regards to claim 4, Sezan discloses communicating recommendations (program views) over a network from a server to the user-viewing device. Furthermore, Sezan also discloses communicated the compiled the user description scheme over the network connecting the multiple devices. The combining of description schemes is done remotely at the server and the resulting recommendation is to the receivers over a network. . See column 6, lines 3-7, and column 7, lines 37-41

In regards to claim 5, the user preferences can be communicated to a plurality of receiver devices, with appropriate views for that system. See column 7, lines 37-41 and column 8, lines 1-10.

In regards to claim 6, Sezan discloses displaying recommendations in form of a thumbnail view of programs and categories in compliance with user

preference and letting the user subsequently make a selection. See column 14, lines 1-11

In regards to claim 7, 8, and 18, Sezan teaches the method of personalization information stored in a smart card to automatically control tuning to favorite radio stations in a car stereo or turn to television channels in compliance with user preferences. See column 11, lines 23-31. In further regards to claim 8, Sezan discloses controlling the car stereo to tune to a particular radio station as well as controlling television to tune to a particular channel and therefore comprises means to control program types received by a plurality of receivers in response to the combined user program type preferences.

In regards to claim 9, and 10, Sezan discloses that the receivers include one of television, radio and Internet receivers. See column 7, lines 56-63 and column 3, lines 1-5.

In further regards to claim 10, Sezan discloses maintaining a viewing history of the user and therefore comprises means for compiling information about the user's program preference by monitoring user's listening habits (see column 42, claim 56c) and device settings (i.e. recorded programs/music). See column 5, lines 37-40.

In regards to claim 11, Sezan discloses that the receivers can be a television receiver and an automotive vehicle radio receiver (see column 10, lines 38-40, communicating user's program preferences from the television receiver and the automotive vehicle radio receiver to a central station (see column 6, lines

3-7), combining user preferences (user description scheme) as derived from the various receivers with other description schemes (see column 4, lines 31-38, and column 6, lines 16-20) at a central station (i.e. server,) and communicate the combined user preferences (i.e. personalization/recommendation data resulting from the combining), to at least a first of the receivers (see column 7, lines 37-41).

In regards to claim 12, 19 and 20, see claims 7 and 5.

In regards to claim 13, see claims 6 and 3.

In regards to claim 14, see claims 1 and 6.

In regards to claim 15, see claims 3 and 2.

In regards to claim 16, see claims 4 and 5.

In regards to claim 17, the output device comprises a display in order to display thumbnails of recommendations to the user. See column 14, lines 1-11

Conclusion


3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Usha Raman whose telephone number is (571) 272-7380. The examiner can normally be reached on Mon-Fri: 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile can be reached on (571) 272-7375. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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